DOCUMENT RESUME

ED 293 202 EA 019 935

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TITLE Integrative Negotiations.
PUB DATE Nov 87
NOTE 12p.; Paper presented at the Joint Annual Conference of the Illinois Association of School Boards, Illinois Association of School Administrators, and Illinois Association of School Business Officials (Chicago, IL, November 21-23, 1987).
PUB TYPE Reports - Descriptive (141) -- Speeches/Conference Papers (150)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Collective Bargaining; *Conflict Resolution; Contracts; Elementary Secondary Education; *Employer Employee Relationship; Group Dynamics; *Problem Solving; School Districts; *Teacher Associations; Workshops
IDENTIFIERS *Integrative Negotiations Concept

ABSTRACT

One school district, Glen Ellyn (Illinois) School District No. 41, utilized a collective bargaining alternative--Integrative Negotiations Concept--that is a joint problem-solving process among the board of education, the teachers' association, and administration. The Integrated Negotiations Concept included the following four components: (1) a process workshop to provide participants with knowledge and experience regarding group dynamics and communication processes appropriate for involvement in collaborative contract negotiations; (2) a communication laboratory to openly exchange information and present points of view regarding the issues each group felt would be introduced as topics of discussion and/or negotiation, and to seek mutual understanding of the matters addressed; (3) time-managed integrative negotiations of 2 hours per session with length of sessions extended only by mutual consent of participants; and (4) a negotiation "wrap-up" session to summarize tentative agreements reached during negotiation sessions and to reach agreement upon those issues that had not been previously resolved. A group process facilitator assisted participant communication and guided group interaction during the process. Appended is a list of terms as defined in traditional bargaining and in integrative negotiations. (MLF)

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INTEGRATIVE NEGOTIATIONS

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INTEGRATIVE NEGOTIATIONS

I. Introduction

I welcome the opportunity to share our recent negotiation experience. My comments will focus upon those theoretical, procedural and process issues which are pertinent to the model we have employed in Glen Ellyn District No. 41.

As I proceed, it will become very clear that my remarks are influenced by very strong biases toward integrative negotiations, and a number of years of experimentation with collective bargaining alternatives. The process we have utilized is not offered as a perfected science or as a panacea which will cure all the ills inherent in the collective bargaining process. It is, however, a method which we have found to be effective in creating an atmosphere for negotiations which is non-adversarial, which encourages collaboration, and which is directed toward the achievement of a win-win negotiations outcome.

II. Integrative Theory of Negotiations

Integrative negotiations is essentially a joint problem-solving process which requires participants: 1) to employ rational inquiry and peaceful persuasion; 2) to possess sensitivity to the individual's needs, interests, and abilities; 3) to have an understanding of group dynamics; and 4) to possess group problem-solving and decision-making skills.

The process is described by Richard Walton and Robert McKersie in their book, A Behavioral Theory of Labor Negotiations:

> Step One: The maximum exchange of information about the problems perceived by each party. Discussion about these problems results in redefinition and in a clearer understanding of the issues. It is at this point that the parties often identify a problem or set of problems with significant

integrative potential.

Step Two: The generation of the maximum number and range of alternative solutions. Possible solutions are discussed within the context of the information shared and the data collected by the parties. Many times additional alternatives result from brainstorming at this step.

Step Three: The assessment of the various alternatives. This assessment focuses on identifying the alternatives which best serve the interests of both parties. The parties attempt to achieve a balance of benefits to each other so that equality of outcome results.

III. Process Description

The process developed for utilization during the District 41 negotiations represents an amalgamation of the research and professional literature pertaining to integrative conflict resolution and communication theory, and the precepts set forth in the book Getting to Yes by Roger Fisher and William Ury of the Harvard Negotiation Project.

The decision to pursue a less conventional course from that followed previously in our district was the result of the Association, Board of Education, and administration meeting to discuss alternative approaches and jointly committing themselves to the creation of a process, which was intended to enhance communication among the parties involved, and which would result in a mutually-agreeable resolution of contract terms in advance of the close of the school year.

All involved dedicated themselves to a process which we hoped would not only yield an acceptable and appropriate agreement, but would also yield a greater consensus regarding organizational goals and would facilitate the advancement of organizational development.

From the point in time that this decision was made, every step in process development was taken with the collaboration of representatives from each interested party - from the writing of procedures and protocols, to the interviewing and selection of a facilitator, to site selection, to process implementation.

Our process became known as the Integrated Negotiations Concept (INC) and included the following four components:

A. A Process Workshop

B. A Communication Laboratory

C. Time Managed Integrative Negotiations

D. A Negotiation "Wrap-Up" Session

A group process facilitator was chosen to assist participant communication, and guide group interaction during the Process Workshop, Communication Lab and Negotiations "Wrap-Up" Session. His role was to assist the group in resolving process issues, but he was not involved in resolution of issues related to the content of negotiations. Not only was this individual mutually selected, but it was agreed that all costs pertaining to implementation of our concept, except those incurred by the Board or Association as a result of their decision to employ resource persons, would be shared equally (ca $1,500/group).

Our experience began with the...

A. Process Workshop

- Our Purpose: To provide participants with knowledge and experience regarding group dynamics and communication processes appropriate for involvement in collaborative contract negotiations.
- Participants in the Process Workshop: Each participating group consisted of up to ten (10) members. Participants representing the Board of Education included the seven (7) members of the District

No. 41 Board of Education, their legal counsel, the Superintendent of Schools, and the Assistant Superintendent for Business and Finance. Glen Ellyn Education Association participants included the negotiating team, their IEA UniServe representative, and other GEEA representatives.

- Site: College of DuPage Board Room
- Schedule: Friday evening, March 20 5:00 p.m. to 10:00 p.m. 5 hours.
- Workshop Content:

The Workshop consisted of:

Discussion of the nature of conflict and ways we tend to respond to conflict situations, and involved each participant taking the Thomas-Kilman Conflict Mode Instrument which was intended to help us to see how we approached conflict situations, and to examine the various methods individuals use to resolve their differences.

We also participated in exercises intended to provide us with group problem-solving experience and to increase listening and communication skills

AND

Discussion of guidelines for lessening resistance and Getting to Yes approaches to negotiation.

B. Communication Laboratory

- Site: College of DuPage Board Room.
- Dates/Time: The Lab was conducted on Saturday, March 21, 1987 from 9:00 a.m. until that time agreed for adjournment by the Facilitator and participants. Sunday, March 22, was reserved for completion of Lab processes.
- Purposes: To openly exchange information and present points of view

regarding the issues each group felt should be introduced as topics of discussion and/or negotiation, and to seek mutual understanding of the matters addressed.

- Participants: The participants shall be those individuals defined in Section IV.B. The Board's legal counsel and the IEA UniServe representative were involved as resource persons only, to be called upon for clarification of issues presented.
- Procedures:
  1. At the beginning of the Communications Laboratory, the Board and the Association prepared their respective issues on sheets of newsprint and presented them to the Facilitator for posting around the meeting room. All issues which participants wished to be considered were to be presented at the time of the Lab. Groups were restricted from introducing new content after the close of this session.
  2. The Facilitator guided discussion upon each issue, alternating between the Board and the Association.
  3. Caucuses were not permitted.
- Issues Disposition: Upon completion of each issue, Lab participants arrived at consensus relative to the disposition of issues presented. A determination was made as to those matters which would be subjected to the negotiation process; those to be referred to a representative task force; those matters to be referred to the administration for study and/or action; those matters to be referred to GEEA for study and/or action; and those matters to be dropped or withdrawn.

The teachers' issues were presented in question form and the Board's

presented as objectives to be achieved through negotiation. A total of 70 issues were discussed and it was determined that from that number 28 would be referred to the negotiating process; 7 were referred to representative task forces for resolution; and 8 were referred to the administration for action or a response. The balance of issues were noted as having been discussed and were withdrawn.

C. Negotiation Sessions

- Target Date for Completion: May 2, 1987
  (approximately 45 days)
- Number of Sessions Scheduled: Nine (9)
- Time Allocated: Two hours per session with length of sessions extended only by mutual consent of participants.
- Participants: (N=10) Participants representing the Board of Education included two (2) Board members, the Board's legal counsel, the Superintendent of Schools, and the Assistant Superintendent for Business and Finance. Glen Ellyn Education Association participants included their negotiating team and the IEA UniServe Representative. Sessions were closed to all other individuals except those who participated in Workshop and Laboratory processes. Workshop and Laboratory participants were permitted to attend sessions as observers of the negotiation process.
- Preparation of Session Minutes: A secretary was provided by the Board for the purpose of recording session outcomes. Minutes were shared with all participants and with those who were involved in Workshop and Lab Processes. Minutes were to be confidential and could not be distributed beyond these individuals.

- Moderators: Each group designated an individual to serve as moderators for negotiating sessions. The role of the moderators was to coordinate the scheduling of sessions, assist participants in determining session agendas, and serve as the individuals empowered to initial matters upon which tentative agreement was reached.
- Outside Resources: In addition to legal counsel and the IEA UniServe representative, resource persons on specific subjects could be invited to negotiation sessions by mutual consent of the participants.
- Process Description: Participants were encouraged to avoid collective bargaining behaviors, to openly discuss issues for negotiation, and to seek agreement through integrative problem-solving. A multiple spokesperson format was employed, and although caucuses were permitted, utilization, on a frequent basis, was discouraged.

  It was the goal of each session to arrive at agreement on those matters scheduled for discussion. Tentative contract language was prepared away from the table following agreement on specific matters, and was presented to participants at the start of the next negotiation session for review and tentative agreement.

D. Negotiations "Wrap-Up" Session

- Site: College of DuPage Board Room.
- Date/Time: The "Wrap-Up" session occurred on Saturday, May 2, 1987. This session began at 9:00 a.m. and final agreement between the parties was reached at approximately 12:00 noon.
- Purpose: To summarize tentative agreements reached during negotiation sessions and to reach agreement upon those issues which

had not been previously resolved.

- Participants: "Wrap-Up" Session participants included all those individuals involved in Workshop and Laboratory processes N=20.
- Process Description: The Facilitator assisted participants with articulation of their respective positions regarding the unresolved issue and attempted to create an atmosphere for communication which would be conducive to problem-solving and concensus decision-making. Caucuses were permitted during this session.

IV. Integrative Negotiations vs. Traditional Bargaining

There are a number of significant differences between the process we employed and traditional bargaining. Perhaps the best way to describe integrative negotiations is to contrast this aproach with traditional bargaining. (Note: Discuss Chart)

V. INC Outcomes

- Improved morale and sense of collegiality has resulted
- Increased trust
- Improved communication
- Mutual respect
- Increased commitment to and ownership of organizational goals
- Increased skill in problem-solving
- Renewed sense of interdependence of roles
- Commitment to seeking win-win outcomes

AND

- The long-term union-management relationship has been enhanced and transported to a new level of understanding and

cooperation

VI. Concluding Comments

Successful application of any bargaining process, non-traditional or conventional, requires that both parties want the process to succeed and that both parties are intent upon reaching agreement. All negotiations are fragile processes and imperfect, as is any system which involves human interaction.

My advocacy of integrative negotiations is based upon my observation of the outcomes of the adversarial approach, and upon my sincere belief that professional educators have the skills and abilities required to create a more civilized and more rational approach to the negotiation process.

Traditional bargaining discourages invention, whereas integrative bargaining encourages creativity and causes participants to look beyond the present and consider the future implications of the decisions they make and the agreements they reach.

Mentioned Getting to Yes. Another reference I would share is Mutual Gains: A Guide to Union-Management Cooperation.

I do have copies of the "Table" we developed to contrast integrative and traditional bargaining for those who would like one. Also, if you would like to receive a copy of protocols, leave your card or a mailing address and I will see that that document is sent to you.

CHARACTERISTICS OF INTEGRATIVE NEGOTIATIONS AND TRADITIONAL BARGAINING

	Traditional	Integrative Negotiations
MOTIVATION	self-interests	concerns, aspirations
ISSUE PRESENTATION	non-interactive, fosters misunderstanding	interactive, informal, promotes understanding
AGENDA	demands, counter-proposals	problems, questions, negotiation objectives
SESSION	closed	open to designated observers
SPOKESPERSON(S)	one for each team	multiple
FOCUS	positions	interests
ATTITUDE TOWARD OTHER TEAM	I'm OK - You're not OK	I'm OK - You're OK
RELATIONSHIP WITH OTHER TEAM	adversarial, oppositional	collaborative, appositional
BEHAVIOR	pressing for concession or capitulation	joint problem-solving and decision-making
COMMUNICATION	deceptive, manipulative	clear, open, honest
POSITION	intransigent, rigid	flexible, accommodating
CAUCUSES	frequent, during sessions	generally between sessions, infrequent during sessions
DIALOGUE	argumentative, belabors disagreement	questioning, brainstorming, interpretative, builds on agreement
MOOD	hostile, aggressive	caring, considerate
MINUTES	kept by each group	maintained for both teams, shared
RESISTANCE POINT	obscured, hidden	revealed
INPUT	inflated demands	expectations, desired outcomes
WEAPON/TOOL	power	information, knowledge, creativity
TYPE OF TRANSACTION	parent-child	adult-adult
IMPASSES	common	rare, facilitation provided
ROLE OF SUPERINTENDENT	advisor to Board of Education	advisor to all parties mediator, fact finder, group process facilitator
RESULT	win-lose, lose-lose impasse compromise	win-win, voluntary deference of position for benefit of process